

Daniel C. Girard (State Bar No. 114826)

dcg@girardgibbs.com

Amanda M. Steiner (State Bar No. 190047)

as@girardgibbs.com

GIRARD GIBBS LLP

601 California Street, 14th Floor

San Francisco, California 94104

Telephone: (415) 981-4800

Facsimile: (415) 981-4846

Attorneys for Plaintiff Daniel Call

Bruce A. Ericson (State Bar No. 76342)

bruce.ericson@pillsburylaw.com

Jeffrey Jacobi (State Bar No. 252884)

jeffrey.jacobi@pillsburylaw.com

PILLSBURY WINTHROP SHAW PITTMAN LLP

50 Fremont Street

San Francisco, CA 94105

Telephone: (415) 983-1560

Facsimile: (415) 983-1200

Attorneys for Defendant Wells Fargo & Company

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

DANIEL CALL, on behalf of himself and all
others similarly situated,

Plaintiff,

vs.

WELLS FARGO & COMPANY, a Delaware
corporation,

Defendant.

Case No. 11-CV-5215-CW

**STIPULATION REGARDING EXTENSION
OF TIME FOR BRIEFING OF
DEFENDANT'S MOTION TO DISMISS THE
COMPLAINT
(CIVIL L.R. 6-1)**

Pursuant to Civil Local Rules 6-1 and 6-2, Plaintiff Daniel Call and Defendant Wells Fargo & Company, by and through the undersigned attorneys, hereby agree and stipulate as follows:

Whereas Plaintiff filed his complaint on October 25, 2011;

Whereas Defendant agreed to waive service of summons on October 26, 2011, thereby extending Defendant's response date to December 27, 2011;

Whereas Plaintiff and Defendant stipulated to the dismissal of Plaintiff's claims against the trustee, Bank of New York Mellon Trust Company, N.A., without prejudice, on November 17, 2011;

Whereas Defendant filed a motion to dismiss the complaint on December 27, 2011;

Whereas Local Rule 7-3 requires Plaintiff to file his opposition to the motion to dismiss on or before January 10, 2012, and Defendant to file its reply on or before January 17, 2012;

Whereas the hearing has been set for March 1, 2012;

Whereas the parties request to extend the briefing schedule because of the New Year holiday and briefing commitments in counsel's other matters;

Whereas the proposed briefing schedule ensures that the Court will receive all briefing on Defendant's motion to dismiss more than two weeks prior to the scheduled hearing date; and

Whereas this agreement does not affect any of the dates set by the Court's October 25, 2011 Order Setting Initial Case Management Conference and ADR Deadlines;

IT IS HEREBY STIPULATED AND AGREED, by and through the undersigned attorneys for the parties, subject to the Court's approval, that:

1. Plaintiff must file his opposition to Defendant's motion to dismiss on or before January 27, 2012; and

2. Defendant must file its reply to Plaintiff's response on or before February 13, 2012.

IT IS SO STIPULATED.

//

//

//

//

//

1 DATED: January 4, 2012

GIRARD GIBBS LLP

2
3 By: /s/ Daniel C. Girard
Daniel C. Girard

4
5 Amanda M. Steiner
6 601 California Street, Suite 1400
7 San Francisco, California 94104
8 Telephone: (415) 981-4800
9 Facsimile: (415) 981-4846

Attorneys for Individual and Representative
Plaintiff Daniel Call

10 DATED: January 4, 2012

PILLSBURY WINTHROP SHAW PITTMAN LLP


11
12 By: /s/ Bruce A. Ericson
13 Bruce A. Ericson

14 Jeffrey Jacobi
15 50 Fremont Street
16 San Francisco, CA 94105
17 Telephone: (415) 983-1560
18 Facsimile: (415) 983-1200

19 Attorneys for Defendant Wells Fargo & Company

20
21
22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

23
24
25 Date: 1/5/2012

26 
27 Judge Claudia Wilken
28 United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2012, a true and correct copy of the foregoing document was filed on the Court's CM/ECF system, and was thereby made available to counsel of record.

Executed this 4th day of January, 2012 at San Francisco, California.

/s/ Daniel C. Girard